

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Carl M. Retzlaff and/or Ronale Case and those
Residents similarly situated, et al.,

Complainants,

vs.

Regal Mobile Estates, et al.,

Defendants.

Case 04-03-002
(Filed March 4, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING
DIRECTING SOUTHERN CALIFORNIA EDISON TO RESPOND**

This Ruling adds Southern California Edison Company (SCE) to this proceeding as a necessary party¹ for the limited purpose of examining the underlying refund practice of a mobilehome park in light of SCE tariffs and information provided by SCE pursuant to Pub. Util. Code § 739.5.

In this case, 10 residents of Regal Mobile Estates, a mobilehome park in Costa Mesa, California, complain that the owners of the park have not correctly calculated refunds due tenants based on a rate reduction by SCE.

¹ See West's Ann. C.C.P. § 389(a); *see also* Rule 63 of the Commission's Rules of Practice and Procedure.

In its answer, Regal Mobile Estates and its principals deny the material allegations of the complaint and state that complainants were given all the refunds due them.

Relevant portions of the complaint and the answer are attached to this Ruling.

Under Pub. Util. Code § 739.5, SCE is required to establish tariffs governing its provision of service to a master-meter mobilehome park operator and to notify the park owner of its responsibilities in providing submetered service to tenants.

This Ruling directs SCE to examine the procedure described by Regal Mobile Estates in calculating and distributing a Department of Water Resources credit to tenants, as stated in the attached portions of the complaint and answer, and, within 30 days of the date of this Ruling, provide a written statement to the undersigned Administrative Law Judge, Carl M. Retzlaff, Ronale Case and Regal Mobile Estates setting forth:

- (1) SCE tariffs or other governing authority applicable to the disputed refunds;
- (2) Instructions about the refunds, if any, provided by SCE to Regal Mobile Estates pursuant to Pub. Util. Code § 739.5(f); and
- (3) SCE's assessment of whether the park's refund procedure complied with SCE tariffs and instructions and, if not, what corrections in the procedure are recommended by SCE.

This Ruling suspends the Commission's ex parte rules to the limited extent of authorizing SCE to communicate with any or all of the parties, as necessary, in responding to the questions set forth above.

IT IS RULED that:

1. Southern California Edison Company (SCE) is deemed to be a necessary party in this case for the limited purpose of examining the underlying refund practice of a mobilehome park in light of SCE tariffs and information provided by SCE pursuant to Pub. Util. Code § 739.5.

2. Within 30 days of the date of this Ruling, SCE is directed to respond in writing to the questions set forth in this ruling and to send a copy of its response to the undersigned Administrative Law Judge, Carl M. Retzlaff, Ronale Case, and Regal Mobile Estates.

3. The Commission's ex parte rules are suspended to the limited extent of authorizing SCE to communicate with any or all of the parties, as necessary, in responding to the questions set forth above.

Dated July 13, 2004, at San Francisco, California.

/s/ GLEN WALKER

Glen Walker
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Directing Southern California Edison to Respond on all parties of record in this proceeding or their attorneys of record.

Dated July 13, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

[Walker Ruling Attachment](#)